

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

GORDON LEE BAUM and COUNCIL)
OF CONSERVATIVE CITIZENS, a)
Not-for-profit corporation,)

Plaintiffs,)

vs.)

Cause No.: 4:06-CV-453-CDP

MAPLEWOOD CITY LIBRARY, a)
municipal corporation, CITY OF)
UNIVERSITY CITY PUBLIC LIBRARY,)

A municipal corporation, VALLEY PARK)
COMMUNITY LIBRARY, a municipal)
Corporation, and FESTUS CITY)
LIBRARY, a municipal corporation,)

Defendants.)

JOINT PROPOSED SCHEDULING PLAN

COME NOW Plaintiffs Gordon Lee Baum and Council of Conservative Citizens and Defendants Maplewood City Library, City of University City Public Library, and Valley Park Community Library and for their Joint Proposed Scheduling Plan, state as follows:

- A. The Track Assignment of 2: Standard is appropriate.
- B. Joinder of additional parties will be accomplished by August 25, 2006. Any amendment of the pleadings will be done by September 25, 2006.
- C. Discovery
 - 1. All discovery will be completed by January 31, 2007.
 - 2. The parties shall make initial disclosures pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure by August 4, 2006.

3. The discovery shall not be conducted in phases nor limited to certain issues.

4. The presumptive limit of ten (10) depositions, excluding records depositions, should not be varied at this time; however, the parties request that they be able to exceed these depositions by stipulation of the parties or application to the Court at a later time. The presumptive limit of twenty-five (25) interrogatories, excluding subparts, as set forth in Rule 33(a) of the Federal Rules of Civil Procedure should not be increased at this time.

5. The parties do not anticipate that any physical or mental examination of the plaintiffs made by Rule 35 of the Federal Rules of Civil Procedure will be necessary. However, if any such physical or mental examination of the plaintiffs becomes necessary, such examination will be requested by December 31, 2006 and will be accomplished by January 31, 2007.

6. Plaintiffs shall disclose all expert witnesses and provide reports as required by Rule 26(a)(2) of the Federal Rules of Civil Procedure no later than November 31, 2007. Plaintiffs shall make all expert witnesses available for deposition no later than December 31, 2007.

7. Defendants shall disclose all expert witnesses and provide reports as required by Rule 26(a)(2) of the Federal Rules of Civil Procedure no later than December 31, 2007. Defendants shall make all expert witnesses available for deposition no later than January 31, 2007.

8. The parties may, by agreement, extend the deadlines herein provided for expert disclosure and deposition.

D. All dispositive motions, including motions to dismiss, motions for summary judgment, or judgment on the pleadings must be filed no later than March 14, 2007.

E. The earliest this case reasonably can be expected to be ready for trial is September 17, 2007.

F. The parties estimate that this case will take approximately three (3) to four (4) days to try to verdict before a jury.

G. The parties agree that this case is suitable for alternative dispute resolution, and state that this case should be referred to mediation under this Court's ADR program on or after April 30, 2007.

/s/ Robert Herman

Robert Herman, #3382

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A copy of the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system on this 13th day of July, 2006, upon the following: Mr. Robert Herman, Attorney for Plaintiffs, 621 N. Skinker, St. Louis, Missouri 63130; and to Mr. Peter J. Dunne and Ms. Jessica L. Liss, Attorneys for Defendants Maplewood City Library and City of University City Public Library, 100 South Fourth Street, Suite 400, St. Louis, Missouri 63102.

/s/ Charles E. Reis, IV

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